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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MCGINN & GIBB, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER	
HUYNH, SON P	

ART UNIT	PAPER NUMBER
2611	23

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/368,433	FLAVIN, ROBERT ALAN	
	Examiner	Art Unit	
	Son P Huynh	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 August 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/2/2004 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Applicant does not provide any significant arguments to the amendment filed on 4/2/2004 except a statement of "Claims 1-23, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance." Therefore, there is no need to response to Applicant's arguments. Furthermore, the examiner reapplies the references used in Office Action (Paper No. 17) as discussed below.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 recites the limitation "said first receiver section receives said one or more announcement" and "said second receiver section receives said one or more content streams" in lines 1-4. There is insufficient antecedent basis for this limitation in the claim.

Double Patenting

5. Claims 1, 5-6, 11-13 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3-7 of U.S. Patent No. 6,005,603 (hereinafter referred to as '603), and in view of Kwoh (US 6,115,057).

Regarding claim 1, claim 1 of '603 recites a segment announcement receiver comprising: a receiver section for receiving a signal; one or more announcements carried on the signal, the announcement containing:

a description about one or more of the content streams;

a time at which the content stream is received on the carrier signal, and

a content stream identifier, the one or more announcements being selectively added to the signal by a party other than a broadcaster of the stream; and

a controller that performs a function determined by the description and the time.

Inherently, the announcement is not received via the broadcaster (added to signal by a party other than the broadcaster of the signal). It is obvious that the one or more announcements correspond to a content being provided on the one or more content stream in order to provide information of the content stream. However, claim 1 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input

39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 5, claim 3 of '603 recites a segment announcement receiver comprising:

a first receiver section for receiving one or more content streams on a content carrier signal;

a second receiver section for receiving one or more announcements, each of the announcements containing a description about one or more content streams, a time at which the content stream is received by the first receiver section, and a content stream identifier, and

a controller that performs a function in a signal processing device determined by the description and the time, wherein one or more announcements being selectively added to the signal by a party other than a broadcaster of the stream. Inherently, the

announcement is not received via the broadcaster (added to signal by a party other than the broadcaster of the signal). It is obvious that the one or more announcements correspond to a content being provided on the one or more content stream in order to provide information of the content stream. However, claim 3 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.
Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to

one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 6, claim 4 of '603 recites a segment announcement system comprising:
an analyzer that analyzes a content of one or more content streams;
an announcement generator that creates one or more announcements containing a description about one or more of the content streams; and
a transmitter section that sends the announcement to one or more receivers, the one or more announcements being selectively added to the signal by a party other than a broadcaster of the content streams. Inherently, the announcement is not received via the broadcaster (added to signal by a party other than the broadcaster of the signal). It is obvious that the receivers comprises a controller that alters a presentation of the one or more content streams in accordance with the description and the time from a corresponding announcement in order to change the presentation in accordance with the description and time created by the party. However, claim 4 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.
Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command

controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 11, claim 5 of '603 recites a closed circuit transmission system comprising:

one or more segment announcer system comprising:

an analyzer that analyzes a content of one or more content streams;

an announcement generator that creates one or more announcements containing description about one or more of the content streams and a time associated with the content stream;

a transmitter section that sends the announcement over a communication network; and

one or more segment announcement receivers comprising:

a receiver section for receiving the announcement and the content stream;

a controller that performs a function determined by the description and the time.

Inherently, the announcement is not received via the broadcaster (added in the signal by a party other than the broadcaster of the signal). However, claim 5 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to

one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 12, claim 6 of '603 recites a process comprising:

receiving one or more content streams,

receiving one or more announcements having one or more description about the content of one or more of the content stream, the one or more announcements being selectively added to a content stream by a party other than a broadcaster of the content stream;

matching one or more of the descriptions to one or more of the content streams; and

performing a function during the processing of one of the content streams if the content stream being processed matches one or more of the descriptions. Inherently, the announcement is not received via the broadcaster (added to signal by a party other than the broadcaster of the signal). However, claim 6 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements

(rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 13, claim 7 of '603 recites a segment announcement receiver comprising:

means for receiving one or more announcement having one or more descriptions about the content of one or more of the content streams, the one or more announcements being selectively added to a content stream by a party other than a broadcaster of the content stream;

means for receiving one or more content streams;

means for matching the description of the content; and

means for performing a function during the processing of one of the content streams if the content stream being processed matches one or more of the description. Inherently, the announcement is not received via the broadcaster (added to signal by a party other than the broadcaster of the signal). However, claim 7 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to

one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

6. Allowance of claims 1, 5-6, 11-13 would result in an un-warranted timewise extension of the monopoly granted for the invention as defined in claims 1, 3-7 of patent number 6,005,603. Therefore, the double patenting rejection is justified.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-7, 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks (US 5,798,785) in view of Kwoh et al. (US 6,115,057).

Regarding claim 1, Hendricks discloses a delivery system comprising operation center 202 receives television programs from external program sources 212 (sporting events, children's programs, special channels, news, etc.), the received television programs then packaged into the groups and categories. After the CAP packets the programs, it creates a program control information signal to be delivered with the program package. The program control information contains a description of the contents of the program

package, commands to be sent to the cable head end and/or set top terminal and other information relevant to the signal transmission (see col. 6, line 4-col. 7, line 14). The program control information is received, stored, and modified by network controller 214 at the headend 208 prior to be sent to set top terminal (figures 1-3, col. 6, lines 4; col. 12, line 40+). Hendricks further discloses the program control signal includes: number of program categories, names of program categories, what channels are assigned to a specific category (such as special channels), names of channels, name of programs on each channel, program start times, length of programs, description of programs, menu assignment for each program, pricing, whether there is a sample video clip for advertisement for the program, and any other program, menu or product information (see col. 12, lines 54-63) rating 1166 (figure 11a) ; In addition, Hendricks teaches the terminal creates a personal profile for the particular viewer. Using the data in the particular viewer's personal profile, subscriber mood information and the television program information available in the program control information signal, the microprocessor 602 in the set top terminal 220 is able to select a group of programs, which the particular viewer is most likely watch (see col. 29, line 1- col. 38, line 33). Thus, Hendricks teaches a segment announcement receiver (set top terminal 220 and display) comprising:

a receiver section (tuner 603 and modem 627) that receives one or more announcements (program control signal or set top terminal control information stream (STTCIS)); wherein each of the one or more announcement corresponds to a content

(television program) being provided on the one or more content streams (content of program packets), wherein each of the one or more announcement includes:

a description about the corresponding content in the one or more of the content streams (category, rating, etc.);

a time at which the corresponding content is transmitted on the signal; and content identifier,

wherein each of the one or more announcement was created by a party (CAP at operation center or network controller 214 at headend 208) other than the broadcaster (external sources); and wherein the announcement is not received via the broadcaster (the program control information is created by CAP at operations center, and modified by network control 214 at the headend, it is not received via external networks).

Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements

(rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 2, Hendricks teaches the description includes a category (see col. 12, lines 54-63).

Regarding claim 3, Hendricks teaches the signal processing device is any one of ore of the following: a television, a radio, a closed circuit television, a video recorder, and a computer (figures 3, 4, 6).

Regarding claim 4, Hendricks teaches the presentation is by a television 222 (see figure 3).

Regarding claim 5, Hendricks discloses a delivery system comprising operation center 202 receives television programs from external program sources 212, the received television programs then packaged into the groups and categories. After the CAP packets the programs, it creates a program control information signal to be delivered with the program package to the cable head end and/or set top terminal 220. The program control information is received, stored, and modified by network controller 214 at the headend 208 prior to be sent to set top terminal (figures 1-3, col. 6, lines 4; col. 12, line 40+). The set top box received television by tuner 603 (see figure 4); and program control information signal can be sent directly from the Operation center 202, processed by the network controller 214 and then forwarded to the set top box, or transmitted over telephone lines (see col. 19, lines 30-35) The program control information contains a description of the contents of the program package, commands to be sent to the cable head end and/or set top terminal and other information relevant to the signal transmission (see col. 6, line 4-col. 7, line 14). Hendricks further discloses the program control signal includes: number of program categories, names of program categories, what channels are assigned to a specific category (such as special channels), names of channels, name of programs on each channel, program start times, length of programs, description of programs, menu assignment for each program, pricing, whether there is a sample video clip for advertisement for the program, and any other program, menu or product information (see col. 12, lines 54-63) rating 1166 (figure 11a). The program control information can be transmitted to set top terminal over telephone line connected modem 627 (see col. 19, line 29+). In addition, Hendricks

teaches the terminal creates a personal profile for the particular viewer. Using the data in the particular viewer's personal profile, subscriber mood information and the television program information available in the program control information signal, the microprocessor 602 in the set top terminal 220 is able to select a group of programs, which the particular viewer is most likely watch (see col. 29, line 1- col. 38, line 33). Thus, Thus, Hendricks teaches a segment announcement receiver (set top terminal 220 and display 222) comprising:

a first receiver section (tuner 603) that receives one or more content streams on a content carrier signal (content of program packet);

a second receiver section (modem 627) that receives one or more announcements (program control signal) created by a party (CAP at the operations center or network controller at the head end) other than the broadcaster (external sources) and that is contain:

a description about the corresponding content within the one or more content streams (category, rating, etc.);

a time at which the corresponding content is transmitted by the first receiver section; and content identifier; the announcement is not received via the broadcaster (program control information is created by CAP at operations center; and modified by network controller at the headend. It is not received via external sources). Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose a controller that compares the one or more announcements to a

filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 6, Hendricks discloses a delivery system comprising operation center 202 receives television programs from external program sources 212, the received

television programs then packaged into the groups and categories by a programmer and computer assisted packaging (CAP). After the CAP packets the programs, it creates a program control information signal to be delivered with the program package by program delivery 204 to the cable modem and/or set top terminal 220. The program control information is modified at the headend; The program control information contains a description of the contents of the program package, commands to be sent to the cable head end and/or set top terminal and other information relevant to the signal transmission (see col. 6, line 4-col. 7, line 14). Hendricks further discloses the program control signal includes: number of program categories, names of program categories, what channels are assigned to a specific category (such as special channels), names of channels, name of programs on each channel, program start times, length of programs, description of programs, menu assignment for each program, pricing, whether there is a sample video clip for advertisement for the program, and any other program, menu or product information (see col. 12, lines 54-63) rating 1166 (figure 11a); In addition, Hendricks teaches the terminal creates a personal profile for the particular viewer. Using the data in the particular viewer's personal profile, subscriber mood information and the television program information available in the program control information signal, the microprocessor 602 in the set top terminal 220 is able to select a group of programs, which the particular viewer is most likely watch (see col. 29, line 1- col. 38, line 33). Thus, Hendricks teaches a segment announcement system (television delivery system 200) comprising:

an analyzer (CAP or signal processor) that analyzes a content of one or more content streams;

announcement generator (CAP or network controller) that creates an announcement (program control signal) containing description about the content of one or more of the content streams (program packet);

a transmitter section (delivery 204 or transmitter in headend 208) that sends the announcement to one or more receivers (set top terminal 220 and display 222) using a signal, the announcement being added to the signal by a party (CAP or network controller) other than the broadcaster (external sources) of the content; wherein the announcement is not received via the broadcaster (program control information is not received via external sources). Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input

39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 7, Hendricks et al. teaches a system as discussed in the rejection of claim 6 wherein the analyzer comprises a programmer (see col. 6, lines 35-52).

Regarding claim 9, Hendricks et al. discloses the announcement comprises a time associated with the content stream (see col. 20, lines 57-67).

Regarding claim 10, Hendricks et al. discloses the announcement further comprises a content stream identifier (see col. 20, line 57+).

Regarding claim 11, Hendricks in view of Kwoh teaches a system as discussed in the rejection of claim 6. Hendricks further discloses set top terminal 220 comprises tuner

603 and modem 627 for receiving the content stream and the announcement (see figure 4).

Regarding claim 12, Hendricks teaches a process comprising:

providing an announcement (program control signal or STTCIS) by a party (CAP or network controller) other than a broadcaster (external sources) of the content stream (content in packet streams);

receiving the content stream, the announcement having a description about a content of the content stream (see figures 1-2);

matching the description to the content stream (program control information is created after the television programs is packaged and program control information and television are sent to headend and/or set top terminal 220. The set top terminal uses the program control information to generate a menu, User select an icon on the menu to display television program correspond to the selected icon- see figures 1, 12a); the announcement is not provided via the broadcaster (the program control information is not provided via external sources). Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose presenting the content in accordance with at least one user preference in a filter record when a comparison with the filter record indicates a correspondence between the filter record and the description in the announcement.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches presenting the content in accordance with at least one user preference in a filter record (data stored in RAM 84) when a comparison with the filter record indicates a correspondence between the filter record and the description in the announcement. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 13, the limitation of the segment announcement receiver correspond to the limitations of the process as claimed in claim 12 and are analyzed as discussed in the rejection of claim 12.

Regarding claim 14, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 1. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental

control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

Regarding claim 15, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 5. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

Regarding claim 16, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 6. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

Regarding claim 17, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 11. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

Regarding claim 18, Hendricks teaches the receiver section receives announcement via a first communication connection (cable modem 627 – figure 4) and wherein the content stream is provided on a second communication connection (tuner 603 – figure 4) that is separate from the first communication connection.

Regarding claims 19-23, the limitation as claimed correspond to the limitation of claim 18 and are analyzed as discussed in the rejection of claim 18.

9. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Hendricks et al. (US 5,798,785) and Kwoh et al. (US 6,115,057) as applied to claim 7 above, and further in view of Menard et al. (US 6,061,056).

Regarding claim 8, Hendricks in view of Kwoh teaches a system as discussed in the rejection of claim 7. However, neither Hendricks nor Kwoh explicitly disclose electronic signal processor includes video image process that queries by image content.

Menard et al. discloses a system for automatically monitoring broadcast, such as television broadcasts, and detecting content of particular interest to individual viewer comprising video capture 9, closed caption capture 10 and audio capture 11 wherein the video or audio or closed caption of the television were captured and compared to the stored data. If the captured data matches the stored data, the receiver receives an alert that indicate the on the screen. If a display has been requested, unit 417 cause

unit 418 to start displaying the video, audio and closed caption (see figures 1 and 5). Necessarily, Menard et al. teaches the electronic signal processor includes video image processor that queries by image content. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendricks and Kwoh to use the teaching as taught by Menard et al. in order to reduce labor cost at the operation center and provide an desired data to user.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son P. Huynh
April 26, 2004

VIVEK SRIVASTAVA
PRIMARY EXAMINER